

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
DEURY ROSARIO,

Petitioner,

v.

SUPERINTENDENT DARWIN LACLAIR,  
Respondent.  
-----X

Copies Mailed/Faxed  
Chambers of Vincent L. Briccetti  
8/13/24

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED**  
DOC #: \_\_\_\_\_  
DATE FILED: 8/13/24

**ORDER**

20 CV 5475 (VB)

Petitioner, proceeding pro se, commenced this action by filing a petition for writ of habeas corpus dated June 23, 2020. (Doc. #1). At that time, petitioner was incarcerated at Franklin Correctional Facility in Malone, New York.

On July 8, 2024, mail containing the Court's Order dated June 18, 2024 (Doc. #25) was returned and marked "Not Deliverable As Addressed Unable to Forward." This mailing was sent to petitioner at Franklin Correctional Facility, which is the address listed on the docket and reflected in petitioner's most recent filing. (See Doc. #24). A search of New York State's DOCCS Incarcerated Lookup website indicates petitioner was released from state custody on June 30, 2023, with the following notation: "6/30/2023 PAROLE – COND REL IMMIGRATN."

Thus, by Order dated July 9, 2024, petitioner was directed to update the Court in writing as to his current address by August 9, 2024. (Doc. #26). To date, petitioner has not done so. In addition, mail containing the July 9, 2024, Order was returned undeliverable and marked "Return To Sender No Such Number Unable to Forward."

The Court's July 9, 2024, Order also directed respondent's counsel to make a good-faith effort to locate petitioner and, by August 9, 2024, to file a letter informing the Court whether they have any further information as to petitioner's current location, mailing address, or custody status. (Doc. #26). To date, respondent's counsel has not done so.

Accordingly, it is HEREBY ORDERED:

The deadline for respondent's counsel to file a letter informing the Court whether they have any further information as to petitioner's current location, mailing address, or custody status is sua sponte extended to **August 27, 2024**.

Chambers will mail a copy of this Order to plaintiff at the address on the docket, which remains Franklin Correctional Facility.

Dated: August 13, 2024  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge